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December 8, 2016

Honorable Katherine B. Forrest  
United States District Judge  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

**Re: *Gonzalez, et al. v. Loving Hut 7<sup>th</sup> Avenue  
Inc., et al.*, Civil Action No. 16-CV-0221**

Dear Honorable Judge Forrest:

Our law firm represents the Defendants in the above-referenced Action. We are in receipt of your Order dated December 7, 2016, and are responding to your instructions therein.

We are aware of the short time frame between now and the scheduled trial start date of January 24, 2017. As per your instructions, we are requesting the following:

1. *Limited Opening of Discovery*. Defendants wish to depose the seven Plaintiffs prior to doing so at trial. There are significant questions of fact that remain outstanding, and believe that a failure to conduct these depositions will result in a much lengthier trial than necessary. As Defendants' former counsel was permitted to withdraw only three days prior to the end of discovery, it would have been an impossible task to complete discovery within three days even if Defendants had immediate and continuous representation. We further note that Mr. Chong first notified Defendants on the same date he made his motion to withdraw (November 14, 2016). While Mr. Chong advised the court that he "advised that they consent" and that Defendants had advised Mr. Chong that they had already "retained Richard Meyers, Esq." (Dkt. No. 67-2), Defendants steadfastly deny both claims: Richard Meyers, an out-of-state attorney who reached out to Mr. Chong on behalf of Defendants on an informal basis solely to help Defendants better understand their situation, expressly told Mr. Chong that he could not represent Defendants (as he is not licensed in New York State), and that Mr. Chong should not withdraw at such a late date. Unfortunately, Defendants were not given an opportunity to contest these statements.

We note the Joint Pretrial Order is due January 13, 2017. We request that Plaintiffs depositions be permitted on or before January 6, 2017. We have conferred with Plaintiffs' Counsel, and they do not consent to this request.

2. *Settlement Conference.* We have conferred with Plaintiffs' Counsel concerning a settlement conference before Magistrate Judge Cott, in accordance with Your Order. We have reached out to Magistrate Judge Cott's Chambers, and are hopeful that schedules will allow us to appear before him in the coming weeks.

We understand the Court's position of remaining on schedule for a January 24, 2017 beginning of trial, and believe the above requests will not delay this timeline. Thank you for your consideration of these requests.

Very truly yours,

/s/  
Jonathan Schulman, Esq.